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09/181,658 10/29/98 SAVAGE

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EXAMINER

TM02/0327

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/181,658

Applicant(s)

SAVAGE

Examiner

Pedro R. Kanof

Group Art Unit

2765



☒ Responsive to communication(s) filed on Dec 11, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-55 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-55 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6 ad 7

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Response to Amendments

1. This correspondence is in response to the amendments filed 3/13/2000 and 7/26/2000.
2. Claims 1, 4, 15-17, 23 and 50-53 have been amended as requested.
- 2.. Claims 54 and 55 have been added as requested.
3. Claims 2, 3, 7 and 8 have been canceled as requested
- 4.. Claims 1, 4, 9-16, 19-22, 32-35, 38-41 and 51-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saville (Defining the Convergent Billing Marketplace, Spring 1997).

Claims 5, 6, 17, 18, 23-31, 36, 37 and 42-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saville (Defining the Convergent Billing Marketplace, Spring 1997) in view of Smorodinsky (U.S. Patent No. 6,049,786).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1, 4, 9-16, 19-22, 32-35, 38-41 and 51-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saville (Defining the Convergent Billing Marketplace, Spring 1997).

Claims 1 and 50: Saville discloses a method and a system for combined billing for at least one customer on a plurality of customer accounts, comprising:

receiving account data for the plurality of customer accounts electronically from time-to-time by a service provider from each of a plurality of billers (capturing customer-generated events, page 1, lines 19-20);

automatically calculating account charges for the plurality of customer accounts from the account data (calculating the bills, page 1, line 20);

aggregating the account charges for at least one customer on a plurality of customer accounts (“combined power, light and telephone services...”, page 3, lines 13-17 and page 2, lines 8 and 9, and “The first challenge...” page 1, lines 17-19);

automatically formatting a combined bill for the customer from the aggregated account charges (providing integrated customer care..., , page. 1, lines 21-22); and

automatically rendering the combined bill to the customer (feeding the bill data back to the customer..., page 1, lines 20-21 and page 2, lines 39-40).

However, Saville does not explicitly disclose acquiring ownership of receivables represented by the account data by the service provider under contractual arrangements with the plurality of billers upon receipt of the account data. Official Notice is taken that it is old and well

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known within the financial services industry wherein a financial institution buys debts, such as bills, from other organizations. This is common in the mortgage market between the first and secondary markets. This is also used by companies who need cash and sell their account receivables (debts) to a financial institution or collection agency. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to acquire ownership of receivables. One would be motivated to acquire ownership of receivables in order to increase the flexibility of the financial solutions and to integrate all the steps of the billing process with the reception and control of the customer payments..

Claim 4: Saville discloses the method of claim 1. Saville also discloses wherein the account charge is calculated by a computer application (“....systems...”, Page 3, line 29, and “...network....”-connection of computers (Page 6, lines 16-20).

Claim 9: Saville discloses the method of claim 1. Saville also discloses wherein one of the plurality of customer accounts comprises a wireless communications account, and a financial account (Page 1, lines 9-15).

Claim 10: Saville discloses the method of claim 9. Saville also discloses wherein the recurring bill account comprises an electric account (page 3, line 15).

Claim 11: Saville discloses the method of claim 9. Saville also discloses wherein the retail account comprises at least a credit card account (“Retail vendors”, page 4, line 39).

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Claim 12: Saville discloses the method of claim 9. Saville also discloses wherein the communications account comprises a long distance account, a local account, a wireless account, and an Internet access account (Page 3, lines 18 and 19).

Claim 13: Saville discloses the method of claim 9. Saville also discloses wherein the financial account comprises a bank statement account (page 4, line 38).

Claim 14: Saville discloses the method of claim 9. Saville also discloses wherein the cable services include pay television services (Page 3, line 19).

Claim 15: Saville discloses the method of claim 1, further comprising automatically formatting the account charges (“..AS/400...”, page 3, lines 21-22).

Claim 16: Saville discloses the method of claim 15, further comprising transmitting the formatted account charges to a bill aggregator (“...transmitted..”, page 4, line 10).

Claims 19-22: Saville discloses the method of claim 18. Saville also discloses wherein the usage charge is calculated according to a predefined usage pricing schedule, comprising automatically calculating a tax associated with the usage charge, and wherein the tax is automatically calculated according to a predefined usage charge tax schedule from the usage charge and the associated tax (Page 6, lines 3-5).

Claims 32- 35: Saville discloses method of claim 29. Saville also discloses wherein assembling further comprises automatically calculating a discount associated with the assembled account charges, and wherein the discount is calculated according to a predefined discount schedule and, wherein assembling further comprises automatically calculating a rebate amount

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and a reward amount associated with the assembled account charges (“...and discounting...” page 2, lines 38-43).

Claim 38: Saville discloses a method for converging billing services from disparate industries as discussed above in claim 1. Saville also discloses wherein rendering comprises automatically storing the formatted bill for the customer in a storage location (“...immediately stored...”, page 4, lines 13-15).

Claims 39, 51-53: Saville discloses a method and a system for converging billing services from disparate industries as discussed above in claims 38 and 50. Saville also discloses wherein the storage location, the aggregating means, the formatting means and the rendering means comprise a server (“...UNIX open system environments...” is a system architecture that uses servers, page 3, line 22).

Claims 40 and 41: Saville discloses a method and a system for converging billing services from disparate industries as discussed above in claim 38. Saville also discloses further comprising transmitting and displaying the formatted bill from the storage location to a customer’s terminal (the “end service provider” has access to data through a terminal, page 4, lines 10-12).

Claims 54 and 55: Saville discloses a method and a system of combined billing for at least one customer on a plurality of customer accounts by a service provider, comprising:

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entering contractual arrangements with a plurality of billers to have their account data for the plurality of customer accounts delivered to a service provider electronically (electronic interfaces that in turn capture customers requests, page 1, line 18);

receiving the account data electronically from time-to-time during a billing cycle by the service provider from each of the billers, each reading out transactions one at a time to an accounts receivable computer system of the service provider (capturing customer-generated events, page 1, lines 19-20);

storing the account data at a customer level in a computer database of the service provider (business systems based on relational databases, page 1, line 17);

automatically calculating account charges for the plurality of customer accounts from the account data (calculating the bills, page 1, line 20);

aggregating account charges for at least one customer on a plurality of customer accounts and generating a combined bill for the customer from the aggregated account charges at a pre-determined cycle time for the customer's account (Combined power, light and telephone services, page 3, lines 13-17);

automatically formatting a combined bill for the customer from the aggregated account charges (providing integrated customer care..., page 1, lines 21-22); and

automatically rendering the combined bill to the customer as a debt of the customer to the service provider as owner of the receivable represented by the combined bill (feeding the bill data back to the customer..., page 1, lines 20-21 and page 2, lines 39-40)..

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However, Saville does not explicitly disclose acquiring ownership of receivables represented by the account data by the service provider under contractual arrangements with the plurality of billers upon receipt of the account data. Official Notice is taken that it is old and well known within the financial services industry wherein a financial institution buys debts, such as bills, from other organizations. This is common in the mortgage market between the first and secondary markets. This is also used by companies who need cash and sell their account receivables (debts) to a financial institution or collection agency. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to acquire ownership of receivables. One would be motivated to acquire ownership of receivables in order to increase the flexibility of the financial solutions and to integrate all the steps of the billing process with the reception and control of the customer payments.

Also Saville does not explicitly disclose remitting payment for the receivables to the billers by the service provider under the contractual arrangement within a pre-determined period after receiving the account data. However, it is inherent that when a financial institution buys debts from an organization, the financial institution remits payment to the organization within a pre-determined period after receiving the account data when buys debts, such as bills, from other organizations.

7.. Claims 5, 6, 17, 18, 23-31, 36, 37 and 42-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saville (Defining the Convergent Billing Marketplace, Spring 1997) in view of Smorodinsky (U.S. Patent No. 6,049,786).

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Claims 5 and 6: Saville discloses a method for converging billing services from disparate industries as discussed above in claim 4. However, Saville does not specifically disclose wherein the computer application comprises a financial institution application, such as a bank. Smorodinsky discloses such a step (Bank Net Accounts, Fig. 5, 53b). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use computer applications of a financial institution, such as a bank. One would have been motivated to use computer applications of a financial institution, such as a bank, in order to facilitate the system implementation.

Claim 17 and 18: Saville discloses a method for converging billing services from disparate industries as discussed above in claim 1. However, Saville does not specifically disclose wherein the account data comprises usage data and automatically calculating a usage charge from the usage data. Smorodinsky discloses such a step (Col. 4, lines 7-9). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use account data and automatically calculating a usage charge from the usage data in the Saville's invention. One would have been motivated to include such steps in order to increase the efficiency of the system.

Claims 23, 24 and 27: Saville discloses a method for converging billing services from disparate industries as discussed above in claims 1 and 26. However, Saville does not specifically disclose automatically validating the account data, wherein validating comprises automatically comparing the account data with predefined account data parameters and the account charges

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with predefined account parameters. Smorodinsky discloses such steps ("compare payments received with payments to be received", Fig. 8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to automatically validating the account data, wherein validating comprises automatically comparing the account data with predefined account data parameters and the account charges with predefined account parameters.

One would have been motivated to use those steps in order to increase the system efficiency.

Claims 25 and 28: Saville discloses a method for converging billing services from disparate industries as discussed above in claims 24 and 27. However, Saville does not specifically disclose wherein validating comprises automatically rejecting account data that falls outside the predefined account data parameters and account charges that fall outside the predefined account parameters. Smorodinsky discloses such a step ("confirm or reject, Fig. 8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to automatically reject account data that falls outside the predefined account data parameters and account charges that fall outside the predefined account parameters. One would have been motivated to use such steps in order to increase the efficiency of the validation step.

Claims 26, 29 and 36: Saville discloses a method for converging billing services from disparate industries as discussed above in claim 1. However, Saville does not specifically disclose wherein aggregating further comprises automatically validating the aggregated account charges

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and, automatically validating and assembling the account charges. Smorodinsky discloses such a step (Request/Response to Verify Biller's Account, Fig. 7, No. 15). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to automatically validate and assemble the account charges. One would have been motivated to automatically validate and assemble the account charges in order to minimize the data processing cost.

Claims 30 and 31 . Saville and Smorodinsky disclose a method for converging billing services from disparate industries as discussed above in claim 29. However, Saville does not specifically disclose wherein one of the account charges relates to a credit card account, wherein assembling comprises automatically calculating at least one selected from the group of a fee and a finance charge associated with the credit card account charge, and wherein assembling further comprises automatically calculating a credit card account payment due amount from the credit card account charge and at least one selected from the group of the fee and the finance charge. Official notice is taken that those steps are well known within the art and are currently used in the credit card industry. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use those steps. One would have been motivated to include those steps in order to saving time and cost in the data processing.

Claim 37: Saville discloses a method for converging billing services from disparate industries as discussed above in claim 1. However, Saville does not specifically disclose wherein the formatted bill comprises an electronic mail message. Smorodinsky discloses such a step (Col.

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2, lines 34-37). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to transmit the bill electronically in the Saville's invention. One would have been motivated to transmit the bill electronically in order to increase the speed and efficiency of the billing method.

Claims 42-48: Saville and Smorodinsky disclose a method for converging billing services from disparate industries as discussed above in claim 1. However, Saville does not specifically disclose transmitting, processing, or adjusting an inquiry, request, or order for the customer regarding at least one of a customer accounts or a recurring bill account. Official notice is taken that those steps are well known within the art and are currently used in the billing services. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use those steps. One would have been motivated to include those steps in order to increase the service quality.

Claim 49: Saville discloses a method for converging billing services from disparate industries as discussed above in claim 1. However, Saville does not specifically disclose the customer paying the bill. Smorodinsky discloses such a step (Fig.8, 53c). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the customer paying the bill in the Saville's invention. One would have been motivated to include such a step in order to optimize the service quality through the integration of the payment procedure.

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Response to Arguments

8. Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 7:30 a.m. to 4:00 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, can be reached on (703) 308-1065. The fax phone number for this Group is (703) 308-1396.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PRK-3-23-01



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